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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,349	02/25/2004	Ralf Buergel	2001P05854US02	4552

7590 03/09/2009
Elsa Keller
Intellectual Property Law Dept
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

MILLER, MICHAEL G

ART UNIT	PAPER NUMBER
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1792

MAIL DATE	DELIVERY MODE
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03/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

1. No claims were amended, added or canceled in the amendment filed 19 FEB 2009. For purposes of appeal, the amendment will be entered and all pending claims will be rejected on the grounds presented in the previous Final Rejection.

Response to Arguments

2. Applicant's arguments filed 19 FEB 2009 have been fully considered but they are not persuasive.

3. Applicant's arguments revolve around the definition of what exactly a solution temperature is. Examiner has cited Czech for its teaching of a re-diffusion treatment as a solution heat treatment; Applicant argues that it is not. Applicant's basis for this argument is the following citation from Czech:

a. "However, the temperature should always be kept well below the solution temperature of the base material alloy." (Page 5, Lines 18-20 of Czech).

4. Examiner maintains the position that the solution temperature of a base material alloy is the temperature at which all phases present in the base material alloy completely enter solution. Therefore, as long as one phase is not completely placed into solution, the solution temperature has not been reached.

5. Examiner has cited Examples 1-6 of Czech, which show only partial diffusion of the aluminum into the non-corroded layer of the blade. These examples are evidence

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that the solution temperature of the alloy has not been reached; if the alloy was placed completely into solution, the aluminum would have been able to completely—penetrate the blade. These examples are also evidence that the solution temperature of at least one phase of the alloy has been reached. Crystalline structures have a fixed, solid chemical structure which prevents other atoms from entering into the lattice without the application of enough energy to allow for bond deformation. Bond deformation allows for material deformation, which is evidenced by the material going into solution. Therefore, the re-diffusion temperature is inherently performed at a temperature above the solution temperature of one phase of the alloy while staying below the solution temperature of the entire alloy.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL G. MILLER whose telephone number is (571)270-1861. The examiner can normally be reached on M-F 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on (571) 272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael G. Miller/
Examiner, Art Unit 1792

/Timothy H Meeks/
Supervisory Patent Examiner, Art Unit 1792